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REMARKS

Claims 1 and 18 through 50 are in the case. Claim 43 has been amended to insert the word "iron," which was inadvertently omitted. Claim 22 has been amended to replace the article "an" with the article "a". Claim 23 has been amended to clarify the positioning of the mixer. Claim 41 has been amended to correct a typographical error, the term "25 wt %" was inadvertently written as the term "20 wt %". Claim 33 has been amended to remove the phrase "such as toluene, hexane, white spirits, and gasoline", which was included inadvertently. Claim 1 has been amended to include the limitation of dependent claim 26. Claim 26 has been cancelled. Claims 27, 28 and 29 have been amended to correct dependency.

Election/Restriction

The Examiner has withdrawn claims 43 through 50 from consideration on the basis that the apparatus can be used for another and materially different process. The Applicants submit the Examiner's restriction is inappropriate. MPEP § 806.05(e) states that the Examiner must show that the apparatus "*as claimed*" can be used to practice another and materially different process. Independent Claim 43 requires that the apparatus comprise a feed preparation vessel wherein a suspension of a *solid starting iron compound* is prepared, one or more agitated conversion vessels operating under hydrothermal conditions to which the *solid starting iron compound* is converted into a *solid product iron compound*, and a cooling vessel where in the *solid product iron compound* is cooled. As such, it would be impossible to make table salt by feeding a suspension of a *solid starting iron compound* through the feed preparation vessel, one or more agitated conversion vessels operating under hydrothermal conditions, and a cooling vessel. Therefore, the Applicants respectfully request the Examiner to withdraw the Restriction Requirement.

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§112 Claim Rejections

Claims 22, 23 and 41 stand rejected as failing to comply with the written description requirement. The Applicants submit that all three claims are fully supported by the specification.

Dependent claim 22 recites that the one or more agitated conversion vessels is a plug flow reactor having a static mixer. Support for the plug flow reactor limitation can be found on page 2, line 22. It is well known in the art that a pipe reactor operates in the plug flow regime. Support for the static mixer limitation can be found on page 5, lines 5-7. The specification teaches that the mixer exerts axial forces on the suspension such that the whole reactor is well mixed and dead zones are avoided. It is well known in the art that static mixers exert axial forces on fluids transported through the static mixer. Thus, one skilled in the art would quite easily identify that the inventors were in possession of the claimed invention.

Similarly, dependent claim 23 also finds support in the specification. Claim 23 recites that the one or more agitated conversion vessels is a continuously stirred tank reactor having an axial mixer. Again, on page 5, lines 5-7, the specification teaches that the mixer exerts axial forces on the suspension such that the whole reactor is well mixed and dead zones are avoided. One skilled in the art would easily identify that a CSTR (continuously stirred tank reactor) having an axial mixer would achieve the mixing described in the specification, and that the inventors were in possession of the claimed invention.

Finally, the current amendment correcting the typographical error in claim 41 should obviate the Examiner's rejection of this claim. But for the sake of completeness, support for claim 41 can be found on page 5, line 24.

Claim 33 stands rejected as being indefinite. The current amendment of claim 33 should obviate the Examiner's rejection of this claim.

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§103 Claim Rejections

The Examiner has rejected claims 1 and 18-42 as being unpatentable over JP-925 and/or RO-697. The crux of the Examiner's argument is based on the belief that the conversion of the process described in the two references from a batch process to a continuous process is *prima facie* obvious. The Examiner cites *In re Dilnot*, 319 F.2d 188, as authority. The Applicants' submit that the Examiner's reliance on *Dilnot* is misplaced and that a *prima facie* case of obviousness has not been shown.

First, it should be noted that the court in *Dilnot* did not make any reference at all to whether the conversion of a batch process to a continuous process is *prima facie* obvious. To establish *prima facie* obviousness the Examiner is required to provide one or more references that teach a suggestion to combine or modify the references such that the combination or modification would appear to be sufficient to have made the claimed invention obvious to one of ordinary skill in the art. *In re Lintner*, 458 F.2d 1013, 173 USPQ 560, 562 (C.C.P.A. 1972).

In *Dilnot*, the invention was directed toward a method whose essential steps included (1) preparing a cementitious slurry (in a cement mixer), (2) generating a stable air foam, (3) continuously introducing said foam into said slurry, and (4) introducing said mixture into a form wherein it is allowed to set and harden. The inventor contended that the prior art taught that the foam should be added to the cement mixer all at once rather than continuously over a certain period of time. The court concluded that there was no difference between the prior art and the claimed invention because even if the foam was added all at once, it would be incorporated gradually, and hence continuously, until all of the foam was incorporated. The court cited *In re Lincoln*, 126 F.2d 477, for the proposition that it is within the expected skill of a technician to operate a process continuously. Upon careful consideration of the facts of *Dilnot*, one sees that it was not simply that a batch process was operated continuously that caused the court to conclude that the claimed invention was obvious, it was the fact that there was absolutely no difference between the batch operation and the continuous operation. The facts of the instant case are easily distinguished from the facts of *Dilnot*.

Neither JP-925 nor RO-697 suggest a continuous process having two or more agitated reactors wherein the operating conditions in at least one of the conversion vessels is different from

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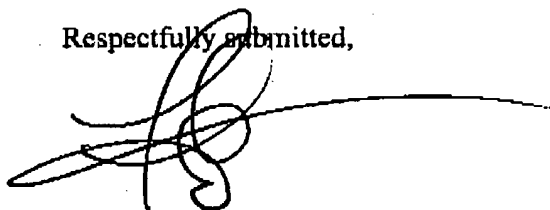
the other conversion vessels. This de-coupling, as described in the specification, provides the advantage of optimizing the mixing and handling of the solid-liquid suspension, which can change in rheological behavior during conversion.

Applicants submit that all claims are in condition for allowance, and respectfully requests the Examiner to withdraw the rejections.

If any matters remain requiring further consideration, the Examiner is requested to telephone the undersigned at the number given below so that such matters may be discussed and, if possible, promptly resolved.

Please address all correspondence in this Application to Mr. Frank C. Eymard, attorney of record, at the address of record.

Respectfully submitted,



Frank C. Eymard

Reg. No. 51,660

Albemarle Corporation

451 Florida Street

Patent Law Department

Baton Rouge LA US 70801-1765

Telephone: 225-388-7750

Facsimile: 225-291-4606